

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

(Special Original Jurisdiction)

WEDNESDAY, THE THIRD DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 31041 of 1997

Between:

Zahoor Ahmed, S/o Mahaboob Sab
Occ: Owner of lorry No. AAT 2904
R/o Manhalli, Bidar Dist., Karnataka State.

..... PETITIONER

AND

- 1 The State through Inspector of Excise and Prohibition
(S.H.O.) of P.S.Patancheru of Medak Dist.
 - 2 The Deputy Commissioner, Prohibition and Excise,
Nizamabad Division, Nizamabad.
(The Cause title amended as per court order dt. 24-4-98 in WPMP
13116/98)
 - 3 The Commissioner, Prohibition and Excise,
Hyderabad.
- RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other order or direction declaring the order passed by the 2nd respondent in his proceedings No.B5/839/97 dt. 4-9-97 in Cr.No.122/96-97 (Excise and Prohibition, S.H.O., of P.S.Patancheru of Medak Dist., as arbitrary, illegal and against the principles of natural Justice.

Counsel for the Petitioner: MR.MOHD.YASEEN ALI

Counsel for the Respondents.: GP FOR PROHIBITION & EXCISE

The Court made the following ORDER:

ORDER:-

Heard the learned counsel for the petitioner. Petitioner who is the owner of the vehicle seeks to assail the final orders dated 4-9-1997 of the second respondent and

sought for release of the vehicle.

Having regard to the fact that against the said order an appeal is provided for under A.P. Excise and Prohibition Act, 1995, I do not find any merit in this writ petition.

Accordingly, this writ petition is dismissed. No costs.

3—11—2004.

Stv/-

To

- 1 The Inspector of Excise and Prohibition
(S.H.O.) of P.S.Patancheru of Medak Dist.
- 2 The Deputy Commissioner, Prohibition and Excise,
Nizamabad Division, Nizamabad.
- 3 The Commissioner, Prohibition and Excise,
Hyderabad.
- 4 Two CCs to G.P for Prohibition and Excise, High Court of A.P. Buildings,
Hyderabad (OUT)
- 5 Two CD Copies